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SUPPLEMENT 8a to ATTACHMENT 2.6-A
Page 1
OMB No.: 0938-

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: NEW MEXICO

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT*

☐ Section 1902(f) State

☒ Non-Section 1902(f) State

For individuals in institutions, who are eligible under a special income cap, the state uses the following more liberal income policy.

For married individuals, there is a rebuttable presumption that the total monthly income received by spouses is community property income. One half of the total community income will be attributed to the spouse at home. If the spouse at home receives more than one half of the total community income in his or her name, only the institutionalized spouse's income in his/her name will be considered for eligibility purposes. Community property principles are applicable only for purposes of establishing eligibility.

This policy will not apply in any situation where use of the rule would result in an individual not being eligible for Medicaid where he would have been eligible using name-on-the-check methodology.

~~No one whose income exceeds the FFP limits of 300% of the current SSI FBR will be made eligible by use of this more liberal income eligibility methodology. For married institutionalized individuals with more income in their own name than the spouse at home, this test will be done using the community property share (1/2) of the total community income.~~
Stetson
8/24/94

*More liberal methods may not result in exceeding gross income limitations under section 1903(f).

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SUPPLEMENT 8a to ATTACHMENT 2.6-A
Page 2

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: NEW MEXICO

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902 (r)(2) OF THE ACT*

☐ Section 1902(f) State

☒ Non-Section 1902(f) State

For a married individual applying for the Qualified Medicare Beneficiaries program who lives in the same household as his/her ineligible spouse, the state will disregard from the applicant's own total gross monthly income an amount up to the difference between the federal income poverty level (FPL) for the size of the family involved (i.e., two) and the FPL for an individual. The resulting figure will then be compared to the FPL for an individual. If that figure is below the FPL for an individual, the state will proceed to determine the ineligible spouse's total gross income (both earned and unearned) and subtract appropriate living allowances for any ineligible minor dependent children of either member of the couple who live in the home. The resulting combined countable income of the applicant and the ineligible spouse, minus appropriate disregards for unearned and earned income, is then compared to the FPL for two persons. If the combined income is less than the FPL for two persons, the applicant is eligible on the factor of income.

* More liberal methods may not result in exceeding gross income limitations under Section 1903(f).

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Supplement 8a to Attachment 2.6-A
Page 3

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: NEW MEXICO

MORE LIBERAL METHODS OF TREATING INCOME
UNDER SECTION 1902(r)(2) OF THE ACT*

/ / Section 1902(f) State ☒ Non-Section 1902(f) State

1. For children identified under provisions of 1902(a)(10)(A)(i)(VI), 1902(l)(1)(c) of the Act, disregard from the countable income of the assistance unit the difference between 185% of the federal poverty guidelines, as revised annually in the Federal Register, and 133% of the federal poverty guidelines for the size of the assistance unit involved.
2. For children born after September 30, 1983, as described in 1902(a)(10)(A)(i)(VII), 1902(l)(1)(D) disregard from the countable income of the assistance unit the difference between 185% of the federal poverty guidelines, as revised annually in the Federal Register, and 100% of the federal poverty guidelines for the size of the assistance unit involved.
3. For children born before September 30, 1983, as described in Attachment 2.2-A, page 4, item A.7.b., up to age nineteen (19), disregard from the countable income of the assistance unit the difference between 185% of the federal poverty guidelines, as revised annually in the Federal Register, and the applicable needs standard for Aid to Families with Dependent Children for the size of the assistance unit involved plus one dollar.

* More liberal methods may not result in exceeding gross income limitations under Section 1903(f).

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